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SUBJECT: GHANA TURNS TO COURTS TO COMBAT CORRUPTION

11. (SBU) Summary: Two recent corruption cases have received media attention, and suggest an increasing propensity for government and non-governmental actors to use the legal system to combat public corruption. Government prosecutors charged a government official for his role in fraudulently organizing 14 non-disabled Ghanaians to travel to Australia for a soccer tournament for the deaf. At the same time, a Kumasi non-governmental organization (NGO) filed a lawsuit against the drivers license authority for selling licenses to unqualified drivers who had not taken the statutorily required tests, asking the court to compel the licensing authority to follow its statutory duties. These cases are significant and positive in that private and public actors are turning to the courts to challenge corruption. However, it is unclear at this point how large an impact this will have on Ghana's substantial corruption problem. End Summary.

12. (U) On August 7, prosecutors initiated court proceedings against James Armah, a Sports Development Officer at the National Sports Council. Armah is accused of charging 14 non-disabled Ghanaians 4,000 cedis each to participate in a soccer tournament for the deaf held in Australia in July. None of the 14 hearing Ghanaians have returned from Australia. According to media reports, Deaf Football Australia has threatened to make a formal complaint against the Association of Sports for the Disabled of Ghana (ASBOG) for sending hearing players, and demanded reimbursement for expenses incurred for the planned "friendly" soccer match.

13. (U) Separately, an NGO, Akwaaba Foundation, filed a civil lawsuit against the Kumasi Driver and Vehicle Licensing Authority (DVLA), claiming that the DVLA breached its duty to promote good driving standards by selling drivers licenses to unqualified individuals and failing to conduct tests. Akwaaba cited specific examples in which individuals were sold licenses without testing, as well as official statistics on road accidents in Ghana. Akwaaba's attorney asked the court to order the DVLA to comply with the Driver and Vehicle Licensing Act. (Note: Akwaaba included the Ministry of Road Transport and the Attorney General and Minister of Justice as defendants in the lawsuit, for their failure to exercise oversight over DVLA. End Note). Akwaaba's stated mission is to promote education and information on the "unacceptable" level of road accidents in Ghana.

14. (SBU) Comment: These cases are encouraging, underlining a willingness of both private and public actors to use the legal system to combat government malfeasance. However, it remains to be seen whether either case will prove successful, or how aggressively the government will pursue cases of corruption. Furthermore, with regard to the Australian deaf soccer tournament, we note that this type of visa fraud (in which travel is formally sponsored by the government but the participants fail to return to Ghana) is a problem and rarely prosecuted, and that the judiciary has been inconsistent in its approach to public corruption cases. End Comment.
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